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EXAMINER

WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2172

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DATE MAILED: 09/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/778,299

Applicant(s)

LEARMONTH, GARREY

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 May 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-11,13-16,18,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) 2, 12, 17 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-11,13-16,18,20 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is in response to Applicant's amendments, filed on May 16, 2003 have been considered but they are not persuasive.

2. Claims 1, 11, 16 and 18 are amended. Claims 2, 12, 17 and 19 are canceled. The pending claims are 1, 2-11, 13-16, 18 and 20-21.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-11, 13-16, 18 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hagmann et al (U.S. Patent No. 6,338,055, hereinafter, "Hagmann") in view of Anwar (U.S. Patent No. 6,490,577).

With respect to claims 1, 11, 16 and 18, Hagmann disclose that the method, and computer system, for transaction processing of a search transaction, see (col. 3, lines 8-21, col. 1, lines 25-67 to col. 2, lines 1-43), a) receiving a plurality of search queries from users (col. 5, lines 51-67 to col. 6, lines 1-11, col. 10, lines 8-36, col. 10, lines 52-

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61), each of the plurality of search queries including search criteria (query criteria, col. 1, lines 38-49, col. 12, lines 4-11, FIG. 3, col. 12, lines 4-11); b) normalizing the search criteria so as to obtain normalized search criteria, see (col. 1, lines 38-49, col. 12, lines 4-11, col. 6, lines 66-67 to col. 7, lines 1-11, FIG. 3, col. 11, lines 9-67 to col. 12, lines 1-67 to col. 13, lines 1-67 to col. 14, lines 1-18); c) transmitting the normalized search criteria to a search engine, see (FIG. 1, FIG. 2, col. 10, lines 62-67 to col. 11, lines 1-49, col. 5, lines 52-67 to col. 6, lines 1-65); d) receiving a response from the search engine that includes search results, see (col. 5, lines 52-67 to col. 6, lines 1-11); e) generating a response to each of search queries from users, each response including search results corresponding to the search criteria submitted by that particular user, see (col. 5, lines 52-67 to col. 6, lines 1-11, FIG. 2, col. 7, lines 11-67 to col. 8, lines 1-67 to col. 9, lines 1-56); and f) transmitting the responses to each of the users, see (col. 5, lines 52-67 to col. 6, lines 1-11, col. 1, lines 38-65, col. 4, lines 49-55, col. 5, lines 39-65).

Hagmann does not disclose that search querying including a user address. However, Anwar discloses that search querying including a user address, see (col. 11, lines 61-67 to col. 12, lines 1-6). Therefore, based on Hagmann in view of Anwar, it would have been obvious a person having ordinary skill in the art the time invention was made to combine the search querying including a user address with the system of Hagmann to identify user's address to make user query. In network environment, each user or computer has address which is form of an unsigned integer used to select one fundamental element of storage, usually known as a word from a computer's main memory or other storage device. The address is used to identify user's email (e-mail

address) address or user's machine address (IP, Internet Protocol, address) or combination of two in network communication. Thus, in order to identify user, user address is used to communicate in network environment and Internet.

With respect to claims 3 and 13, Hagmann dose not explicitly disclose the transmitting the user addresses to the search engine. However, Anwar discloses transmitting the user addresses to the search engine, see (col. 11, lines 61-67 to col. 12, lines 1-6). Therefore, based on Hagmann in view of Anwar, it would have been obvious a person having ordinary skill in the art the time invention was made to combine the transmitting the user addresses to the search engine with the system of Hagmann to identify user's address to make user query. The address is used to identify user's email (e-mail address) address or user's machine address (IP, Internet Protocol, address) or combination of two in network communication. Thus, in order to identify user, user address is used to communicate in network environment and Internet.

Claims 4 and 14 are rejected on grounds corresponding to the reasons set forth above in claims 1 and 3.

With respect to claims 5, 15 and 20, Hagmann discloses that b1) comparing the search criteria from each of the queries, see (FIG. 2, FIG. 3, FIG. 4, col. 7, lines 1-67 to col. 8, lines 1-67 to col. 9, lines 1-67 to col. 10, line s1-67 to col. 11, lines 1-67 to col. 12, lines 1-63);

b2) determining commonalities between the search criteria; and

b3) generating normalized search criteria (optimizing), the normalized search criteria consolidated based on the commonalities determined in step b2) so as to eliminate redundant search criteria, see (FIG. 2, FIG. 3, FIG. 4, col. 7, lines 1-67 to col. 8, lines 1-67 to col. 9, lines 1-67 to col. 10, lines 1-67 to col. 11, lines 1-67 to col. 12, lines 1-63).

With respect to claims 6, 10 and 21, Hagmann discloses that search engine is a software program operable on a first computing device, the steps a)-c) performed by a second computing device that is coupled to the first computing device, see (FIG.2, FIG. 3, FIG. 4, col. 7, lines 1-67 to col. 8, lines 1-67 to col. 9, lines 1-67 to col. 10, lines 1-67 to col. 11, lines 1-67 to col. 12, lines 1-63).

With respect to claims 7-9, Hagmann discloses that the first computing device is coupled to the second computing device, see (FIG. 2, col. 5, lines 2-67 to col. 6, lines 1-65). Hagmann does not explicitly disclose using a local area network, a wide area network and Internet. However, Anwar discloses that a local area network, a wide area network and Internet, see (col. 4, lines 29-67 to col. 5, lines 47). Therefore, based on Hagmann in view of Anwar, it would have been obvious a person having ordinary skill in the art the time invention was made to combine a local area network, a wide area network and Internet with the system of Hagmann to search query interactions. The Internet is the largest internet in the world. It is a three level hierarchy composed of

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backbone networks, mid-level networks, and stub networks. These include commercial (.com or .co), university (.ac or .edu) and other research networks (.org, .net) and military (.mil) networks and span many different physical networks around the world with various protocols, chiefly the Internet Protocol in combination of LAN (local area network) and WAN (wide area network). Thus, it would be beneficial to use Internet (the combination LAN and WAN) for search query through network.

### ***Response to arguments***

5. In response to Applicant's remarks, the following factual argument points are noted:

a. Hagmann does not anticipate or render obvious method for, "receiving a response from the search engine that includes search results, generating a response to each of search queries from users, each response including search results corresponding to the search criteria submitted by that particular user, transmitting the responses to each of the users", and "no search engine" from page 6, lines 1-15.

In response to a, the point of the applicant's argument is that the search results are sent back to each user who submitted the search query from search engine. First, the system of Hagmann includes the user search query and performing user query results, see (col. 3, lines 11-25), and searching relational database, see (col. 1, lines 25-65), which clearly teaches search results are resulted by search. Therefore, Hagmann has the searching engine. And searching relational database has basic steps for

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querying, search and receiving search results that are sent back to users. In addition, Hagmann discloses the steps for publishing the results of queries to users, and results for all queries are sent back to all users, see (col. 5, lines 39-67 to col. 6, lines 1-11), which teaches, the search results are sent back to each user who submitted the search query from search engine, which includes receiving search results, generating and transmitting responses the results to users. Therefore, Hagmann does anticipate and render obvious for "receiving a response from the search engine that includes search results, generating a response to each of search queries from users, each response including search results corresponding to the search criteria submitted by that particular user, transmitting the responses to each of the users".

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Abraham discloses the system for resumeable batch query object class that provides a link between a first dialog for obtaining information regarding a query to be performed by an object oriented database management system, a second dialog for manipulating the results of the query, and the stream which includes the query results. The resumeable batch query attributes include identifiers of the second dialog and the stream, and a method to run the query. The resumable batch query is used by the object oriented database management system to allow a second dialog to manipulate



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results of a batch or background query in the same manner as results of a foreground or interactive query. Time consuming queries may thereby be processed in background mode in a manner which is transparent to the second dialog.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW  
September 18, 2003

  
SHAHID ALAM  
PRIMARY EXAMINER